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8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 GERALDINE MCWEENEY,)	
13 Plaintiff,)	CIVIL NO. 05-01989 CRB
14 v.)	STIPULATION AND ORDER
15 JO ANNE B. BARNHART,)	APPROVING COMPROMISE
16 Commissioner of Social Security,)	SETTLEMENT OF ATTORNEY
17 Defendant.)	FEES PURSUANT TO THE EQUAL
)	<u>ACCESS TO JUSTICE ACT</u>

18 The plaintiff's attorney having met the criteria of L.R. 54-6, by meeting and conferring with
19 defendant, IT IS HEREBY STIPULATED by and between the parties through their undersigned
20 counsel, subject to approval by the Court, that plaintiff's attorney receive the following payment:

21 1. Defendant shall pay THREE THOUSAND DOLLARS (\$3,000.00), pursuant to the Equal
22 Access to Justice Act (EAJA), for attorney fees incurred in this court action. The check is to be
23 payable to plaintiff's counsel:

24 JESSE S. KAPLAN
5441 FAIR OAKS BLVD., STE C-1
25 CARMICHAEL, CA 95608
26 (916) 488-3030; FAX (916) 489-9297

27 2. This is a settlement of plaintiff's request for attorney fees pursuant to EAJA, and does not
28 constitute an admission of liability or fault on the part of defendant under the Equal Access to Justice

1 Act.

2 3. Payment of the THREE THOUSAND DOLLARS (\$3,000.00) EAJA fees incurred in this
3 court action, will constitute a complete release from and bar to any and all claims, rights, causes of
4 action, liens or subrogated interests relating to attorney fees pursuant to the EAJA, or costs as a result
5 of this court action.

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8 Dated: April 19, 2006

9 /s/
JESSE KAPLAN
Attorney for Plaintiff

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11 KEVIN V. RYAN
United States Attorney
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14 Dated: April 19, 2006

15 By: /s/
SARA WINSLOW
Assistant United States Attorney
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17 PURSUANT TO STIPULATION, IT IS SO ORDERED:
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21 Dated: April 20, 2006

22 CHARLES R. BREYER
United States District Judge

